

## **Party Discipline in the Contemporary Congress: Rewarding Loyalty Using the Legislative Calendar**

According to former House Speaker Newt Gingrich, Republican leaders brought Representative Jim Nussle's (R-IA) ethanol legislation—over opposition from Ways and Means Committee Chairman Bill Archer (R-TX)—to the House floor for consideration as a reward for his party loyalty. “Jim Nussle (R-Iowa), who had been heroic on a huge range of things for the party, had to have that opportunity” [to have his ethanol legislation considered].<sup>1</sup>

In 2002, House Republican leaders removed a bill that had been scheduled for consideration on the House floor to punish its sponsor, conservative congressman Christopher Smith (R-NJ), for his disloyalty (Pomper 2002). Smith's bill to establish microloans in developing countries was not controversial; it had already cleared the Senate. Two and a half years later, party leaders dislodged Smith from his chairmanship of the House Veterans' Affairs Committee two years before his six year term expired. Leaders selected Congressman Steve Buyer (R-IN), a reliable voter for the leadership, to replace him (Oleksyn 2005).

In the contemporary congressional environment, do party leaders routinely reward loyalty with legislative benefits—and punish disloyalty by withholding legislative benefits—as a means of implementing party discipline, or are such examples anomalies?

Party discipline in the House of Representatives is typically about rewards rather than punishments, about carrots rather than sticks. There isn't much that congressional party leaders can—or are willing—to do to overtly punish their members. As party leaders determine, however, how to allocate limited opportunities and resources to their members, punishment by withholding benefits is one option for discipline.

---

<sup>1</sup> Author's interview with Newt Gingrich, October 2003.

The central question in this project is the extent to which party leaders in the House of Representatives impose discipline by rewarding loyalty when they allocate scarce resources to their rank and file members. This chapter focuses on how party leaders allocate desired, but scarce, legislative opportunities. From the huge pool introduced in a given congress, whose bills and amendments make it to the House floor? The results show that in certain institutional and electoral circumstances, leaders indeed exert discipline by rewarding loyal members with legislative opportunities, while in other circumstances, leaders prioritize electoral considerations.

Party leaders in the contemporary House of Representatives are empowered by their members to allocate resources and opportunities to their rank-and-file members. Leaders pick and choose among their ranks when determining which members' bills and amendments to consider on the House floor, requests for committee transfers to honor, and campaigns to assist. These decisions help or hinder members' legislative careers, electoral success, and abilities to represent constituents. Ultimately, they shape the legislative agenda considered by the Congress.

This project examines the strategic use of rewards and punishments by party leaders in the House. It asks who benefits when leaders allocate scarce resources and opportunities to their rank and file members. Do party leaders exert discipline by rewarding loyal party behavior and punishing disloyal behavior? Leaders must worry about their majorities and institutional maintenance. Does their use of discipline depend on their pursuit and prioritization of electoral and institutional goals? Who are the targets of discipline, and under what conditions do leaders exert discipline?

Party leaders in the contemporary House of Representatives exert more power than they have in nearly a century. Despite increases in the power and prerogatives of party leaders in the post-reform Congress—and the increase in scholarship that has accompanied it—congressional

party discipline is difficult to identify. Scholars have documented the increase in party leaders' power in post-reform congressional politics (*e.g.*, Aldrich and Rohde 1998, 2000; Rohde 1991; Sinclair 1995, 1999), but there is no consensus on the causes of party influence. Scholars detect "party effects" in analyses of members' roll call votes and interest group scores without specifying how leaders exact party loyalty (Ansolabehere, Snyder, and Stewart 2001; Binder, Lawrence, and Maltzman 1999; Snyder and Groseclose 2000; McCarty, Poole, and Rosenthal 2001; Cox and Poole 2001). Finding party influence in members' voting records may in fact mean that party leaders discipline their members, but it says nothing about the mechanisms party leaders employ in an attempt to induce loyalty. This systematic analysis fills that gap.

The legislative calendar provides party leaders opportunities to exert discipline. This chapter evaluates how majority party leaders allocate legislative opportunities to their rank-and-file members. The empirical focus is on how party leaders in the congresses from 1987-2002 decided which members' bills, amendments, resolutions, and "suspensions" were considered on the House floor, and under what conditions. I pay particular attention to the interplay between the majority party's electoral motive of maintaining a partisan majority and the policy motives of enhancing party unity and passing legislation.

Majority party leaders set the legislative agenda and fill the House calendar,<sup>2</sup> which has space for only a fraction of the thousands of bills and amendments introduced. Majority party leaders determine whose bills are considered on the House floor and under what conditions. Leaders generally work closely with committee chairs to determine which bills are reported out of committee and in what form. They shepherd some bills through committee from start to

---

<sup>2</sup> Members have some limited checks on majority party leaders' authority in the form of both negative and positive agenda control. A majority of members can prevent legislation from being considered, as bills need a rule to pass with a majority of votes before being considered. Legislation opposed by party leaders can be considered on the House floor if 218 members sign a discharge petition, though this rarely occurs.

finish, carefully monitoring their legislative progress. In other instances, they evaluate the legislation marked up by a committee or committees and determine whether it will be considered on the House floor. Pursuant to the rules of the House—and in actual practice—the Speaker determines whose bills are considered under “suspension of the rules,” a procedural shortcut used to expedite non-controversial legislation. Using their influence over the House Committee on Rules, leaders decide which amendments are in order during the consideration of legislation, increasingly employing restrictive rules that permit the amendments of just a selected few members. In sum, by employing their prerogatives, leaders pick and choose among members’ requests for legislative preference. Given a massive pool of legislation (e.g., over 6,000 pieces in the 107<sup>th</sup> Congress) introduced by 435 members with varied expertise and institutional positions to choose from, leaders must weigh many factors when deciding whose bills, resolutions, and amendments to bring to the House floor. They have incentives to reward loyalty and recognize legislative entrepreneurship, and they naturally want to help their electorally vulnerable members.

In interviews, former leaders and former and current leadership staff explained how party leaders allocate legislative opportunities. They all stressed the complexity of the decision-making process, and they all acknowledged the importance of loyalty. Some volunteered that loyalty was important, others only when specifically asked. Former Republican Speaker Newt Gingrich explained: “You start with whether they are part of the team . . . . When I was Speaker, loyalty to the team was absolutely important.”

A former majority and minority party Democratic leader concurred that loyal members benefit and provided more insight into the process:

Yes, by and large [loyal member get more legislation on the floor], and the loyal more often got their transition rule in tax bills, line items in appropriations bills, amendments in Commerce Committee bills, etc. It’s not easy and it’s not automatic though. A conversation with the Speaker

didn't guarantee your priority in the bill, but you always had the ability to go to the people you'd supported—the dean of (the state) delegation who knows how you vote—who could also intercede to remind them that you had been there. But, older members didn't see it that way because they had seniority and wanted to control things.<sup>3</sup>

According to rank-and-file members, loyalty and expertise both help members in their efforts to have their legislation considered. According to a moderate Republican serving in all of the Republican-controlled congresses under consideration in this analysis,

There is a tendency to give preference to members who are more loyal—remember, loyalty means voting for rules, giving money, and also an ambiguous credential of being conservative—a conservative ideology that flaunts the fact that you are conservative on all issues. I wonder who made up this conservative icon of Republicanism. It helps in getting your amendments or bills. Also in the mix is persistence, credibility, and a professional relationship with the leadership. Five years ago, Jim Greenwood would not have had an amendment to the cloning bill. Today, he's credible on the issue . . . loyalty can be infused with members' understanding about how the institution works.<sup>4</sup>

Former majority-party Democratic Whip Tony Coelho (CA) echoed these responses about decision rules in the legislative process: “loyalty was used, but nothing was that simple.” This chapter seeks to disentangle the complexity of leaders' decisions and goals in differing institutional circumstances.

### **Legislative Preference as a Mechanism of Discipline**

The legislative calendar is not an immediately obvious place to search for party discipline. Although the power of committee chairs has diminished, chairs still have the power to forward legislation from the hearing stage through committee mark up. Much of the legislative calendar is pre-determined. It contains “must-pass” legislation, including the 13 annual appropriations bills and conference reports, rules and resolutions necessary for House operations and maintenance, rules that govern the terms of consideration of most bills, and periodic continuing resolutions necessary to keep the federal government operating, and occasional increases in the debt ceiling. Significant domestic and international events may

---

<sup>3</sup> Interview with the author, July 2003.

<sup>4</sup> Interview with the author, February 2003.

necessitate the consideration of legislative solutions. Leaders of the president's party are compelled to pursue presidential priorities. Even in the management of these legislative priorities, party leaders have opportunities to delegate sponsorship to individual members or to adjudicate between members' competing proposals. And beyond these constraints on the shape of the legislative calendar, leaders can select from among their caucus members' legislation to fill the remaining space. Because the number of bills introduced in a given Congress far exceeds the time available on the House floor, leaders must pick and choose among many requests.

Majority party leaders fill most of the legislative calendar. In this analysis, I therefore consider majority party leaders' allocation of legislative opportunities to their caucus or conference members, analyzing Democrats from 1987-1994 and Republicans from 1995-2002. Minority party leaders are left with limited opportunities to grant legislative preference, *e.g.*, through motions to recommit, minority party substitutes to major bills, and even determining the sponsors of party-supported discharge petitions.<sup>5</sup> Party leaders view the votes or signatures in support of such measures as procedural in nature, despite the substantive content of the underlying legislation.

### **Leaders' Pursuit and Prioritization of Goals**

As outlined in detail in Chapter 1, I test three hypothesis to explain party leaders' goals when they determine the legislative agenda: a "policy control" hypothesis that party leaders reward loyal voting to provide incentives for continued or increased loyalty; an electoral hypothesis that party leaders seeking to maintain majority party control assist electorally vulnerable members—regardless of their party loyalty—and reward members for their fundraising loyalty to the party; and an institutional hypothesis that legislative entrepreneurs, committee chairs, and senior members are advantaged because of their efforts, experience, and

expertise. These are not mutually exclusive alternatives. In interviews, former leaders and their staff emphasized that they are well aware of members' voting records, fundraising efforts, districts, electoral situations, and legislative activities and are likely to consider all of these factors. Multivariate analyses over several congresses allow me to assess the use and prioritization of each hypothesized consideration. Further, I hypothesize that leaders pursue each of these goals but their relative priority depends on the particular electoral and institutional context in a given Congress.

Congressional leaders have an incentive to pursue policy control by exerting party discipline, *i.e.*, rewarding loyal party members with legislative opportunities and punishing defectors by keeping their bills off the legislative calendar. Party discipline helps leaders cultivate something akin to responsible party government (APSA 1950) in which they can achieve their policy agenda. In congresses with narrow majorities, majority party leaders need the votes of nearly all their members on nearly all important issues, particularly given the increased polarization on significant roll call votes (Sinclair 2000). Using rewards to provide members with incentives for voting with the party could affect policy outcomes. Beyond attaining the 218<sup>th</sup> vote necessary to pass legislation, party leaders also strive to maximize the support of their members to present a united front to the public. Dissent from fellow partisans makes it more difficult to attract public support for the party's position. Dissenters' cues provide the attentive public reasons to oppose the majority's legislative program, reducing its ultimate chances for enactment in its House-passed form and diminishing the party's political gain.

For their part, members have incentives to obtain preferential treatment from the leadership by demonstrating their loyalty in their policy and procedural voting. Reelection and policy achievements are primary goals for members of Congress (Fenno 1973), and legislative

---

<sup>5</sup> Ascertained in an interview with a senior staff member to several Democratic leaders, August 2003.

accomplishments and the attendant publicity they receive bolster members' chances of reelection (Wawro 2000). As new policy issues emerge and electoral dynamics change, members have reason to seek continued party support from party leaders.

### Differences Between Members

An obvious litmus test of party loyalty is consistently voting with the party majority on legislation considered on the House floor. Such loyalty is particularly valuable in an era of tight competition for party control of Congress, when both parties want to be able to point to a record of legislative accomplishment and every vote counts. But according to several current and former members of Congress and their senior aides, voting with the party on rules is the ultimate test of loyalty. Rules set the terms of debate on legislation, giving party leaders control over the consideration of legislation.

That said, party leaders also want to maintain or attain electoral majorities, and this can militate against an overly rigid use of party loyalty as a criterion for allocating legislative preference. Losing seats may cost leaders their jobs, and leading the majority party is far better than leading the minority party. The House is a majoritarian institution; majority party leaders are far better positioned to maintain and enhance their own power, and they have a much better chance of achieving their party's policy goals. Accordingly, party leaders strive to elect as many fellow partisans as possible, regardless of their loyalty to the party's ideological core. The need to win a majority of seats focuses attention on the party's vulnerable incumbents, and this can limit the selective use of legislative benefits to enhance party loyalty, particularly as partisan margins have narrowed. Given leaders' desire to provide vulnerable members with legislative accomplishments as an aid for reelection, they should bring their legislation to the floor for consideration, regardless of their level of party loyalty.

Members can demonstrate party loyalty by forming leadership PACs or making contributions from their own campaign coffers to fellow incumbents and to the party congressional campaign committee, thereby increasing their party's chances of winning seats in the next election. As variance in party loyalty in roll call voting declines, large contributors can distinguish themselves from consistent party line voters. Party leaders also have an incentive to reward loyal fundraisers as a means of encouraging other members to raise campaign funds.

Party leaders have a significant interest in institutional maintenance. They need to pass annual appropriations bills and other necessary legislation to keep the Congress functioning and the government running. Party leaders therefore depend on the expertise and efforts of the senior members, committee chairmen, and legislative entrepreneurs in their caucus or conference.

In the contemporary era, majority party leaders often shepherd legislation through the legislative process from the drafting stage to final passage. When determining whether or when to schedule legislation, they sometimes bypass the committee system altogether (Davidson 1999; Sinclair 2000).<sup>6</sup> A surprisingly large number of bills considered in committee hearings and even marked up in full committee do not reach the floor, and a surprisingly large number of bills considered on the floor were not the subject of committee hearings. I predict that leaders should be more likely to schedule legislation introduced by committee chairmen. Committee and subcommittee chairs convene hearings and mark ups of legislation they have sponsored, launching a bill on the traditional path to floor consideration. When party leaders are indifferent to the policy in question, they are likely to defer to committee chairs. Further, committee chairmen often work with party leaders to craft party policy on significant issues within their jurisdiction. It is not a coincidence, for example, that the tax bills considered on the House floor are usually written by the Chairman of the Committee on Ways and Means. Committee chairs

are thus likely to see much more of their legislation considered on the House floor. In addition, seniority may enhance a member's ability to have her legislation considered. Experience enhances institutional and policy expertise, helping members to take advantage of policy gaps with their own legislation.

Party leaders need their members to help develop policy proposals on a variety of complex issues of public concern—many more than party leaders could master on their own—and to pass the mundane legislation necessary to keep the Congress functioning (Cox and McCubbins 1993; Sinclair 1995; Wawro 2000). Although many members may focus on their district careers rather than their legislative careers (Fenno 1973, 1978), most members are motivated to sponsor some legislation for electoral reasons. Sponsorship provides members with opportunities for position-taking and advertising (Mayhew 1974). But, legislative success is necessary for credit-claiming. Members who introduce many bills without translating them into new public policy run the risk of being labeled ineffective. Further, there is a significant difference between introducing legislation for symbolic reasons and introducing legislation intended to bring about major policy change. When leaders determine whose bills to consider, they send a signal to members considering whether to engage in serious policy-making. If majority party “work-horses” don't have their legislation brought to the House floor, as should naturally occur in a competitive environment, other members may be discouraged. By giving legislative entrepreneurs, senior members and committee chairmen legislative preference, party leaders provide all members incentives to formulate and introduce good public policy. All else equal, then, members who are more legislatively active should have more of their legislation considered on the House floor.

### **Hypotheses**

---

<sup>6</sup> Unless 218 members sign a discharge petition.

As indicated, the main hypotheses regarding the allocation of benefits are:

- H1. Policy Control Hypothesis: Majority party leaders will, all else equal, grant legislative preference to *loyal* partisans. Majority party members will reward their members who demonstrate loyalty in their voting records, both on policy and procedural issues, with legislative benefits, bringing their bills and resolutions to the House floor and making their amendments in order under restrictive rules. Leaders will prioritize policy control when they pursue active partisan policy agendas and in congresses with narrower margins, where they need almost every vote.
- H2. Electoral Hypothesis: Party leaders, in their attempt to help bolster the campaigns of electorally *vulnerable* members, will prioritize the consideration of vulnerable members' bills and amendments on the House floor, particularly in congresses with many vulnerable members. Majority party leaders will also reward members for their fundraising efforts, including members' leadership PAC contributions and contributions from their campaigns to fellow incumbents and congressional campaign committees. Leaders will prioritize electoral goals in congresses with relatively large numbers of electorally vulnerable members.
- H3. Institutional Maintenance Hypothesis: Party leaders will recognize the expertise, experience, and effort of their *committee chairmen, senior members, and legislative entrepreneurs*.

### Legislative Data and Measures

The key independent and context variables are described at length in Chapter 2. The data on bills, resolutions, and amendments, come from the THOMAS website maintained by the Library of Congress. It contains information about bills and amendments from the 93<sup>rd</sup> Congress on, including sponsors and cosponsors; official, short and popular titles; committee, floor and executive actions; a detailed legislative history; *Congressional Record* page references; and bill summaries. Within this large collection of legislative data, there are many types of legislation of varying importance and content, which I have coded and analyzed separately.

I examined every piece of legislation, including bills, resolution, and amendments, considered on the House floor between 1987 and 2002. This includes legislation subject to a recorded vote, voice vote, or that was withdrawn after having been brought up and debated.

(Many data sets only include legislation and amendments on which there were recorded votes,

relying on such data sets would miss significant, albeit less controversial, legislative action.) I began by compiling a list of every piece of legislation considered on the House floor in each Congress. I then coded the legislation along many dimensions. I attributed the legislation to its sponsor according to one of the codes I developed to capture its significance, purpose, and even content.

### Bills and Resolutions

Most legislation falls into the “majority leadership control” category. If legislation is not under “leadership control” because it gets to the floor by discharge petition or because a member may bring it up at any time because it relates to the privileges of the House, I code it separately rather than in the categories that follow.

Little noticed by the public, there are many types of legislation. I distinguish between pieces of legislation according to whether they are bills, meaning they have an H.R. number, or they are resolutions, *i.e.*, are preceded by H.Con.Res., H.Res., or H.J.Res. Bills change laws and statutes, whereas resolutions express the sense of the Congress or change the rules of the House itself.

When coding bills, I categorize them in several ways. Two important categories contain policy bills and district bills, respectively. District bills are operationalized by the mention of a geographic region in the member’s state mentioned in the bill description. This is not an ideal measure, but it’s the best possible. District-specific and policy legislation of broad interest should be considered separately, as leadership incentives in delegating legislative preference may differ given the seemingly natural congruence between loyal members’ policy goals and party leaders’ policy agenda. A more direct test of the effect of loyalty is the party leaders’ response

to members' district-specific legislation. In most analyses I pool district bills and policy bills together because unfortunately there are not enough district bills for multivariate analysis.

The thirteen appropriations bills, along with supplemental appropriations, are categorized separately because they are "must-pass" legislation bills, and they are brought up by the relevant "cardinal," *i.e.*, the chair of the subcommittee from which they originated. Annual budget resolutions are also coded separately. Since the passage of the Congressional Budget and Impoundment Control Act of 1974, the House of Representatives has usually considered the majority party's budget blueprint on the floor, sponsored by the Chairman of the House Budget Committee. I also separate bills passed by unanimous consent and bills taken from the corrections calendar, recognizing that these two types of bills are of less significance for policy control than legislation debated on the House floor.

There are different ways that legislation can be brought up for consideration on the House floor. More and more bills are passed as "suspensions," including legislation authorizing significant programs (Wolfensberger 2002). For example, on June 29, 1999, Speaker Hastert recognized Congressman Bob Stump (AZ) to offer a motion to suspend the rules and pass a bill to "authorize a cost-of-living adjustment for veterans receiving disability compensation and their surviving family members; restore eligibility for certain medical care, education and housing loans to surviving spouse who have remarried; authorize a \$465 million loan for the American Battle Monuments Commission to hasten construction of the WW II Memorial; and authorize \$100 million for FY 2000-204 for the Labor Department's Homeless Veterans Reintegration Program; and direct the Secretary of Veterans Affairs to build four new national cemeteries." It passed 424-0 (*Congressional Quarterly Weekly Report House Votes June 29, 1999*).

Under clause 1 of Rule XV, the Speaker may entertain motions to “suspend the rules and pass legislation,” referred to as suspensions. Suspensions require a vote of two-thirds of the members present and voting. No amendments are in order, and debate is limited to 40 minutes. Unless the rule is waived, the cost of legislation considered under suspension cannot exceed \$100 million. Accordingly, suspensions are usually bipartisan and relatively non-controversial. In recent years, however, minority party Democrats have threatened to vote against legislation considered under suspension if Democratic-sponsored legislation didn’t comprise around a quarter of the suspension calendar. Needing Democratic votes to reach the two-thirds requirement for passage, Republicans conceded, although the Speaker always recognizes a majority party member to offer the legislation, even if its sponsor is a Democrat. These bills, as with all bills, however are coded by sponsor, not by member offering it on the House floor. The Speaker determines which bills are called up and considered as suspensions. The majority leadership schedules the bills under suspension of the rules, usually on Mondays and Tuesdays, in accordance with the rules of the House. I developed three codes for H.R. legislation considered under suspension: policy bills passed under suspension, international relations bills passed under suspension, and district bills passed under suspension. In many cases, important programs are reauthorized under suspension.

I code resolutions passed under suspension separately, in four ways: as policy resolutions (expressing Congress’ support for a policy but not constituting an actual policy change), resolutions expressing the views of Congress with regard to an international situation, resolutions recognizing one’s district, and resolutions honoring a specific person or group. For example, on July 8, 2002, the Speaker placed H.Res.471, a resolution to “recognize the significant contributions of Paul Ecke, Jr. to the poinsettia industry” on the suspension calendar, and it

passed by a voice vote. The bill's sponsor was conservative party loyalist Randy "Duke" Cunningham (R-CA). Many members of Congress introduce resolutions to honor their constituents' contributions that never reach the House floor. Therefore this represented a leadership favor to Cunningham.

Under Democratic majorities, hundreds of commemoratives were proposed every congress to name a day, week, or even year in honor of a person, group, or issue. Only a handful passed each year; for example, a law was passed designating November 16, 1989, as "Interstitial Cystitis Awareness Day," January 16, 1993, as "National Good Teen Day," and May 3, 1992 through May 9, 1992, as "Be Kind to Animals and National Pet Week." As bizarre as these and other examples seem, a number of former Democrats interviewed assured me that these are important to the members who introduce them on behalf of interested constituents, and the many more members who introduce them but do not have them considered are disappointed.

### Amendments

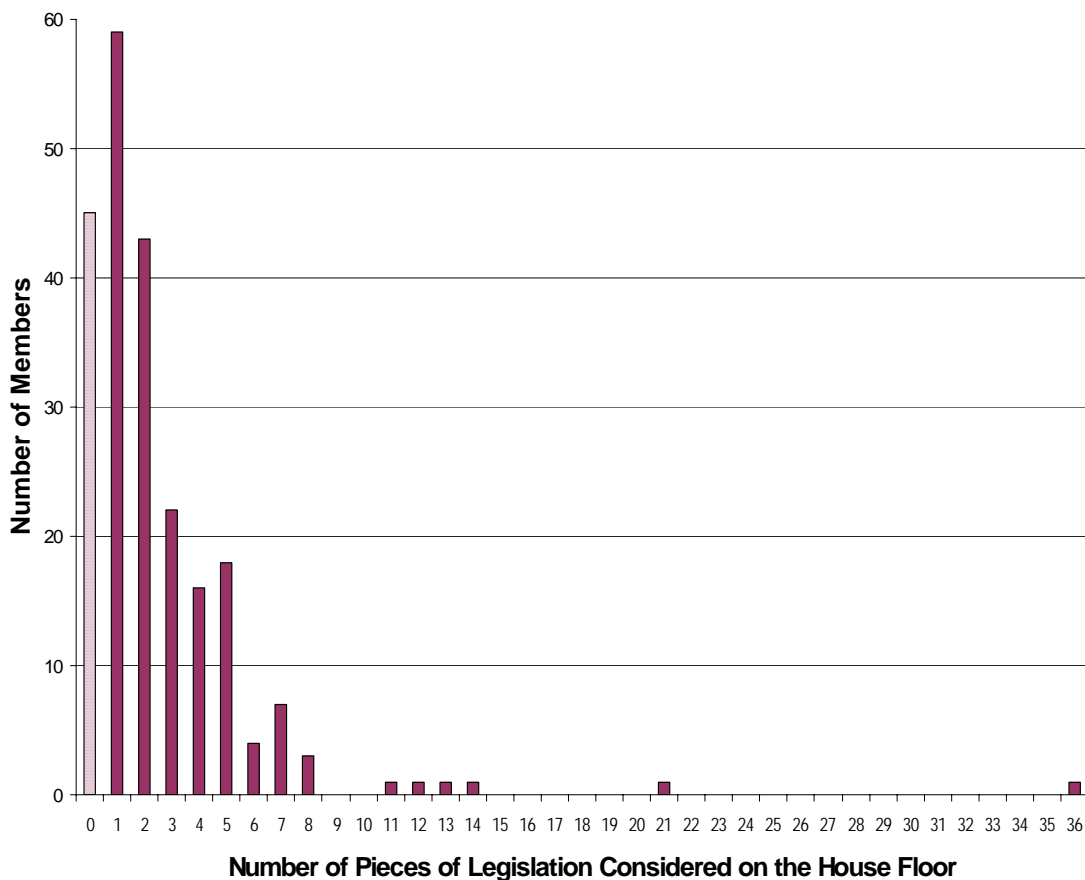
The majority party leadership controls the structure—and often the content—of the amendment process in conjunction with the House Committee on Rules. Bills, except privileged matters and suspensions, can be brought up on the House floor only after a rule is adopted. Rules set the time allocated for general debate and the structure of the amendment process. Rules are written and reported to the House from the Rules Committee, which acts as an arm of the majority leadership. Since 1975, the Speaker has appointed majority party Rules Committee members and the minority party leader has appointed minority party members. The majority party has a 9-4 supermajority on the Rules Committee, ensuring that it controls the process. Before the House considers a rule, the Rules Committee convenes a hearing to give members a

chance to testify to urge committee members to make their amendments in order, *i.e.*, to allow them to offer them.

There are many types of rules that provide or deny members opportunities to offer amendments. Bach and Smith (1988) categorize rules as: open, organizing, expansive, closed, restrictive, and complex. I classify all amendments in one of two ways: “leadership controlled” and open. An open rule allows any member to offer an amendment that complies with the standing rules of the House. The leadership thus relinquishes control of the sponsors and substance of the amendments offered. As leaders have become more creative, they have used many different types of rules to deal with amendments on the House floor. The distinction I make in the analysis to follow, however, focuses only on whether or not the leadership controls a member’s ability to offer an amendment. Restrictive rules of any sort that preclude amendments other than those specified by the rule fall into the “leadership controlled” category, and open rules, of course, fall into the “open” category. Departing from some previous scholarship (*e.g.*, Bach and Smith 1988), I consider a rule that limits amendments to those submitted in advance to the *Congressional Record* to be open. Although such rules are not traditionally considered to be open, any member has the opportunity to submit an amendment to the *Congressional Record*, thus only a lack of forethought prevents a member from offering an amendment. Categorizing complex rules is complex, as their name suggests. When a complex rule protects certain amendments from points of order, or specifies that a certain member shall offer them, those amendments are coded as leadership-controlled. The same rule, however, may open certain titles of a bill to amendment. Such amendments are then categorized as open. For the purpose of comparison, I collect data on amendments offered under open rules as well.

To show the general trend in the contemporary era, Figure 3-1 shows the number of pieces of legislation sponsored by each majority party member considered on the House floor under leadership control in the 106th Congress. This includes the bills and resolutions described above and leadership-controlled amendments. Forty-five Republicans in the 106<sup>th</sup> Congress did not have any legislation considered that was subject to majority leaders’ control. Of all leadership-controlled legislation combined, the mean was 2.4 pieces of legislation per member considered on the House floor (with a standard deviation of 2.7) and the median was 2 pieces. Among Democrats, the mean was .3 pieces of legislation, and 164 Democrats had no Republican “leadership controlled” legislation considered.

Figure 3-1. Majority Party Members’ Legislation Considered on the House Floor under Leadership Control, 106<sup>th</sup> Congress (1999-2000)



Source: THOMAS, data calculated by author.

## Results

Because the distribution of legislation considered on the House floor is skewed toward zero, as is often the case with count data, I employ negative binomial regression techniques.<sup>7</sup> Tables 3-1 to 3-6 report the changes in the expected number of a majority party member's bills (or amendments, suspensions, resolutions, commemoratives) considered on the House floor given the following shifts in the independent variables: from rank and file member to committee chair; from a non-competitive race to a competitive race; from contributing no money from one's leadership PAC to fellow members to contributing the mean amount; from contributing no money from one's campaign fund to the party congressional campaign committee; from contributing no money to fellow members to contributing the mean amount; and from the mean to one standard deviation above the mean for two indicators of party loyalty (voting and rule scores), legislative entrepreneurship (the number of bills sponsored) and seniority (the number of

---

<sup>7</sup> Poisson regressions are not appropriate here because the data violate the assumed equality of the conditional mean and variance functions (see Greene 2000: 886-887).

years served in Congress). Calculations are made using Gary King's CLARIFY program for Stata (King, et al. 2000; Tomz et al. 1999).

### **Major Legislation**

In all of the categories of legislative preference under analysis, having major legislation—rather than resolutions, amendments, and “suspensions”—considered on the House floor is the most valuable reward to members. The results of eight separate analyses of major legislation are shown in Table 3-1. The dependent variable includes all major legislation in each congress other than the 13 annual “must-pass” appropriations bills.

When it comes to having one's major legislation considered on the House floor, no one factor explains consideration across all eight congresses, or even across the four congresses of Democratic or Republican party control. Party loyalty expressed in roll call votes increases the number of bills a member has considered by .09 in the 100th Congress and by .38 in the 104<sup>th</sup> Congress, *ceteris paribus*. It has no significant effect in any of the other congresses. As anticipated, the aggressive, newly elected Speakers in these congresses (Jim Wright and Newt Gingrich, respectively) were more likely to pursue party control during these congresses. Each of these newly elected Speakers actively pursued a party policy agenda in an era of divided government. Gingrich rewarded loyalty at a higher rate. His policy agenda was particularly pronounced; it took the form of the “Contract with America,” a legislative program designed for the 1994 elections containing ten policy changes “guaranteed” to be considered within 100 days. To pass his program, Gingrich needed almost every Republican vote.

In the Democratic congresses, fundraising did not buy members much in terms of major legislation. Loyalty expressed by making leadership PAC contributions is associated with a .48 increase in legislation in the 100<sup>th</sup> Congress and loyalty expressed by making contributions to

other candidates is associated with a .01 increase in the 102<sup>nd</sup> Congress. Fundraising did matter in both of the Hastert-led congresses where Republicans hold narrow partisan margins. In the 106<sup>th</sup> Congress, contributing the mean amount of money to House candidates is associated with .02 more bills. In the 107<sup>th</sup> Congress, contributing the mean amount to the NRCC is associated with .02 more bills, and the mean level of leadership PAC contributions is associated with .01 more bills.

Table 3-1. Explaining the Consideration of Majority Party Members' Major Legislation on the House Floor

Congress	100 <sup>th</sup>	101 <sup>st</sup>	102 <sup>nd</sup>	103 <sup>rd</sup>	104 <sup>th</sup>	105 <sup>th</sup>	106 <sup>th</sup>	107 <sup>th</sup>
Party Loyalty: Roll Call Votes	<b>.09</b> [.01,.20]	.03 [-.06,.15]	-.00 [-.08,.09]	.08 [-.03,.29]	<b>.38</b> [.06,.77]	.03 [-.06,.17]	.04 [-.07,.16]	.04 [-.02,.11]
Party Loyalty: Rule Votes	-.01 [-.10,.10]	-.01 [-.07,.09]	.02 [-.06,.13]	-.03 [-.10,.65]	-.11 [-.35,.15]	-.01 [-.09,.08]	.12 [-.02,.30]	.03 [-.02,.09]
Party Loyalty: Contributions to Candidates	8.9 [-.21,38]	.00 [-.02,.02]	<b>.01</b> [.001,.03]	.24 [-.17,.49]	-.02 [-.14,.11]	.00 [-.00,.01]	<b>.02</b> [.002,.04]	.00 [-.02,.02]
Party Loyalty: Contributions to Party CCC	--	.00 [-.02,.02]	-.01 [-.04,.01]	.00 [-.21,.66]	-.09 [-.22,.02]	.02 [-.05,.08]	.00 [-.06,.06]	.02 [.002,.04]
Party Loyalty: Leadership PAC Contributions	<b>.48</b> [3.1,21]	.00 [-.00,.01]	.00 [-.00,.01]	.59 [-.08,3.1]	-.00 [-.05,.05]	-.01 [-.04,.02]	-.04 [-.08,.00]	<b>.01</b> [.004,.01]
Legislative Entrepreneur (Bills Sponsored)	<b>.06</b> [.02,.12]	.05 [-.01,.13]	<b>.08</b> [.01,.17]	<b>.09</b> [.03,.18]	<b>.97</b> [.60,1.5]	<b>.12</b> [.01,.26]	.05 [-.04,.17]	<b>.06</b> [.02,.11]
Competitive Race	.11 [-.12,.68]	-.04 [-.18,.36]	.01 [-.11,.16]	.01 [-.09,.18]	-.05 [-.54,.51]	-.07 [-.31,.38]	-.09 [-.41,.44]	.13 [-.07,.47]
Seniority	.05 [-.00,.11]	.05 [-.02,.15]	<b>.07</b> [.01,.17]	<b>.08</b> [.02,.21]	.06 [-.22,.02]	<b>.18</b> [.05,.36]	<b>.43</b> [.28,.62]	.04 [-.00,.10]
Committee Chairman	.18 [-.01,.52]	<b>.50</b> [.07, 1.4]	<b>.68</b> [.21,1.5]	.22 [-.00,.67]	<b>1.31</b> [.23,2.9]	.15 [-.13,.67]	.05 [-.21,.38]	<b>.37</b> [.12,.77]
Log likelihood	-150.45	-133.43	-166.19	-148.461	-329.021	-171.36	-214.03	-134.44
$\chi^2$	59.39***	44.02***	63.33***	47.74***	100.20** *	38.79***	61.86***	61.06***
Pseudo R <sup>2</sup>	.16	.14	.16	.14	.13	.10	.13	.19
N	254	254	264	255	222	220	216	222

Cell entries are first differences as described in the text from negative binomial regressions, confidence intervals are in parentheses. Entries in bold are significant at  $p < .05$  or better.

Not surprisingly, leaders recognize legislative entrepreneurs. Members cannot have legislation considered if they don't introduce legislation to begin with. In six of the eight congresses (all but the 101<sup>st</sup> and 106<sup>th</sup>), the more bills a member introduces, the more likely she is to have her legislation considered on the House floor. In four of the eight congresses (102<sup>nd</sup>, 103<sup>rd</sup>, 105<sup>th</sup>, and 106<sup>th</sup>), senior members have more legislation considered, and in four of the congresses (101<sup>st</sup>, 102<sup>nd</sup>, 104<sup>th</sup>, and 107<sup>th</sup>), committee chairs have more of their legislation considered. Given the power of committee chairs to mark up legislation and report it out of committee, it is striking that, all else equal, committee chairs don't see more of their major legislation considered in every congress.

### **Legislation and Resolutions Considered under Suspension of the Rules**

The requests made to the Speaker for legislation to be considered under suspension of the rules exceed the scope of his ability to accommodate them. When it comes to passing H.R. legislation under suspension, speakers consistently recognize legislative entrepreneurs, as Table 3-2 reveals, rewarding them for their policy work. It is hardly surprising that as leaders look to fill the legislative schedule with suspensions while the details of more complex major legislation are being worked out, the more bills a member has sponsored, the more likely it is that one of them will be considered. Given that suspensions must pass with the support of two-thirds of those voting, thus requiring minority party votes, such bills are generally not part of leaders' party program, but reflect routine congressional business, *e.g.*, the reauthorization of non-controversial programs. For example, legislation reauthorizing Veterans Administration health programs was passed under suspension in 1999. Only in 1995-6 did leaders reward party loyalty in roll call voting with favoritism in suspensions.

Leaders prioritized electoral goals in the 102<sup>nd</sup> Congress. This is not surprising, given that the 102<sup>nd</sup> Congress and following 1992 election saw an unusually large number of vulnerable incumbents because of redistricting, a stagnant economy, the House Bank scandal, and the public's particularly low regard for Congress (Jacobson 2004). Only in the 102<sup>nd</sup> Congress did Democratic leaders reward fundraising efforts and favor their more vulnerable incumbents by bringing more of their legislative suspensions to the floor. Leaders sometimes send signals that fundraising is appreciated and by helping the vulnerable, leaders sometimes provide them with an accomplishment to publicize in their campaigns.

Speakers pursue different goals when determining which resolutions to bring up under suspension of the rules. Resolutions, especially those requiring support of two-thirds of the House, ordinarily are not part of a party's policy agenda—they may praise or condemn a particular international or domestic event, express support for a change in policy, or honor a person or group—but they do not enact policy change. Nonetheless, such resolutions are important to members, so they provide leaders with a relatively easy, low-cost way to reward or assist their members.

Table 3-2. Explaining the Consideration of Majority Party Members' H.R. Suspensions on the House Floor

Congress	100 <sup>th</sup>	101 <sup>st</sup>	102 <sup>nd</sup>	103 <sup>rd</sup>	104 <sup>th</sup>	105 <sup>th</sup>	106 <sup>th</sup>	107 <sup>th</sup>
Party Loyalty: Roll Call Votes	-.06 [-.23,.12]	.13 [-.16,.50]	.06 [-.11,.26]	-.07 [-.30,.20]	<b>.34</b> [.01,.76]	-.01 [-.21,.20]	-.02 [-.22,.23]	-.01 [-.21,.22]
Party Loyalty: Rule Votes	-.04 [-.33,.30]	-.07 [-.33,.28]	-.10 [-.25,.08]	.05 [-.20,.38]	-.08 [-.30,.21]	.12 [-.09,.40]	.15 [-.10,.43]	.17 [-.33,.01]
Party Loyalty: \$ Contributions to Candidates	.67 [-1.3,16]	.03 [-.06,.12]	.04 [-.00,.07]	6.7 [-.66,6.7]	.03 [-.11,.18]	.00 [-.01,.02]	-.04 [-.13,.03]	.03 [-.05,.10]
Party Loyalty: \$ Contributions to Party CCC	--	-.06 [-.15,.02]	<b>.06</b> [.01,.10]	1.64 [-.97,5.9]	-.13 [-.28,.02]	.02 [-.16,.18]	-.24 [-.5,-.02]	-.05 [-.19,.06]
Party Loyalty: \$ Leadership PAC Contributions	4.3 [-1.2,39]	-.01 [-.04,.02]	-.01 [-.03,.01]	-.38 [-.83,.89]	-.05 [-.14,.04]	-.08 [-.15,-.0]	-.04 [-.13,.03]	.01 [-.03,.04]
Legislative Entrepreneur (Bills Sponsored)	<b>.83</b> [.48,1.3]	<b>.72</b> [.36,1.2]	<b>.53</b> [.32,.80]	<b>.72</b> [.46,1.1]	<b>.90</b> [.51,1.4]	<b>.74</b> [.33,1.2]	<b>.95</b> [.56,1.4]	<b>.77</b> [.46,1.2]
Competitive Race	-.08 [-.75,.97]	.50 [-.26,1.6]	<b>.48</b> [.12,.93]	.34 [-.00,.38]	-.05 [-.52,.50]	.12 [-.52,1.1]	-.40 [-1.0,.43]	.50 [-.36,1.5]
Seniority	.04 [-.17,.31]	.11 [-.11,.4]	.09 [-.07,.29]	.17 [-.00,.38]	-.02 [-.25,.26]	.23 [-.01,.54]	-.05 [-.31,.26]	.19 [-.03,.43]
Committee Chairman	.45 [-.37,1.7]	.63 [-.22,1.9]	.34 [-.16,1.2]	<b>.66</b> [.01,1.7]	.40 [-.34,1.6]	.44 [-.27,1.6]	<b>2.09</b> [.59,4.2]	.44 [-.22,1.4]
Log likelihood	-377.85	-361.93	-373.53	-324.10	-290.98	-308.01	-348.81	-334.99
$\chi^2$	57.97***	48.71***	86.19***	92.51***	66.33***	64.84***	81.58***	71.29***
Pseudo R <sup>2</sup>	.07	.06	.10	.12	.10	.10	.10	.10
N	254	254	265	255	222	220	216	222

Cell entries are first differences as described in the text from negative binomial regressions, confidence intervals are in parentheses. Entries in bold are significant at  $p < .05$  or better.

Table 3-3. Explaining the Consideration of Majority Party Members' Resolutions under Suspension on the House Floor

Congress	100 <sup>th</sup>	101 <sup>st</sup>	102 <sup>nd</sup>	103 <sup>rd</sup>	104 <sup>th</sup>	105 <sup>th</sup>	106 <sup>th</sup>	107 <sup>th</sup>
Party Loyalty: Roll Call Votes	.04 [-.02,.13]	.06 [-.06,.32]	<b>.16</b> [.04,.36]	.07 [-.04,.32]	-.01 [-.05,.05]	-.07 [-.16,.02]	-.04 [-.13,.08]	.03 [-.09,.16]
Party Loyalty: Rule Votes	.01 [-.06,.13]	.10 [-.09,.51]	.04 [-.08,.24]	.01 [-.06,.17]	-.02 [-.06,.03]	.04 [-.08,.20]	.00 [-.10,.14]	.01 [-.11,.10]
Party Loyalty: Contributions to Candidates	<b>1.64</b> [1.0,2.7]	.02 [-.01,.05]	-.02 [-.05,.01]	6.97 [-.13,3.8]	.02 [-.01,.05]	.002 [-.01,.01]	.02 [-.00,.04]	<b>.03</b> [.001,.07]
Party Loyalty: Contributions to Party CCC	--	-.01 [-.04,.03]	.00 [-.03,.03]	4.31 [-.14,2.1]	.01 [-.02,.03]	-.01 [-.13,.09]	.02 [-.04,.07]	.04 [-.03,.11]
Party Loyalty: Leadership PAC Contributions	4.8 [-.14,16]	.06 [-.17,1.1]	.00 [-.00,.01]	<b>5.34</b> [.06,6.7]	-.01 [-.11,.29]	-.00 [-.00,.00]	-.01 [-.04,.03]	-.03 [-.08,.02]
Legislative Entrepreneurs (Bills Sponsored)	.06 [.01,.13]	.11 [.01,.29]	.10 [.02,.23]	.02 [-.01,.10]	<b>2.01</b> [.001,.12]	.20 [.02,.48]	.27 [.12,.47]	.29 [.15,.48]
Competitive Race	-1.36 [-.16,.05]	.05 [-.13,.48]	-.04 [-.16,.09]	-.03 [-.09,.05]	.01 [-.09,.18]	-.04 [-.31,.52]	<b>.59</b> [.06,1.6]	.50 [-.02,1.3]
Seniority	-.01 [-.04,.05]	.15 [.02,.37]	-.00 [-.06,.09]	-.01 [-.05,.05]	.01 [-.04,.08]	.06 [-.06,.23]	.04 [-.08,.20]	-.04 [-.13,.08]
Committee Chairman	.42 [.03,1.4]	-.08 [-.18,.04]	.17 [-.1,.86]	.41 [.02,1.5]	.02 [-.08,.29]	-.04 [-.29,.42]	.04 [-.31,.58]	.02 [-.32,.53]
Log likelihood	-104.52	-96.88	-118.15	-81.55	-78.91	-166.22	-229.62	-239.55
$\chi^2$	36.31***	22.71**	24.36**	21.04	27.14**	24.38**	36.62	29.95***
Pseudo R <sup>2</sup>	.15	.10	.09	.11	.15	.07	.07	.06
N	254	254	266	255	222	220	216	222

Cell entries are first differences as described in the text from negative binomial regressions, confidence intervals are in parentheses. Entries in bold are significant at  $p < .05$  or better.

Party loyalty is also rewarded in some contexts: Speaker Foley rewarded party line voters in the 102<sup>nd</sup> Congress with .16 more resolutions, all else equal. The Speaker pursues electoral goals in the suspension calendar with resolutions too. As shown in Table 3-3, Speakers Wright and Hastert rewarded those making contributions to candidates with 1.64 more resolutions and .03 more resolutions in the 100<sup>th</sup> and 107<sup>th</sup> Congresses, respectively. Republican leaders in the 106<sup>th</sup> Congress use resolutions considered under suspension to help their vulnerable incumbents, providing vulnerable incumbents with .59 more resolutions per incumbent, all else equal. As in the case of H.R. suspensions described above, in every congress except the 103<sup>rd</sup>, legislatively active members are more likely to see their resolutions pass under suspension.

### **Whose Amendments are Made in Order?**

Leaders appear to pursue a mixed strategy when determining whose policy amendments will be considered under restrictive rules, as seen in Table 3-4. Party loyalty affects the terms of special rules in different ways in different congresses. Only in the 106<sup>th</sup> Congress did loyalty expressed in roll call voting increase the number of amendments a member has considered (by .18, all else equal). Procedural loyalty, however, is more complicated for leaders to grapple with. In the 101<sup>st</sup> Congress, members who consistently voted with their party on special rules saw .48 more amendments made in order under restrictive rules. However, procedurally loyal members had significantly fewer amendments made in order in the 102<sup>nd</sup> and 106<sup>th</sup> Congresses. Instead of rewarding loyalty, it seems leaders were trying to prevent defectors from defecting again, appeasing them by making their amendments in order and giving them an additional reason to vote for rules.

Helping the party's "team" in the upcoming elections by contributing leadership PAC dollars to fellow partisans significantly increases the number of amendments a member has

considered (by .17) only in the 100<sup>th</sup> Congress. Legislative entrepreneurship is recognized in five of the eight congresses. It is not surprising that legislatively active members are more likely to offer amendments and also be recognized for their policy alternatives and additions.

Democratic committee chairs' amendments are prioritized in only the Foley congresses, evidence of Foley's greater deference to committee chairs relative to Speaker Jim Wright. Republican committee chairs' amendments are made in order significantly more in the 104<sup>th</sup> and 107<sup>th</sup> Congresses. The seniority of the sponsor is never significant.

When determining whose amendments are in order and protected from points of order on appropriations bills, leaders weight the party loyalty of the sponsors in only two of the eight congresses, as Table 3-5 shows. In the 102<sup>nd</sup> and 105<sup>th</sup> Congresses, leaders again pursue preventive strategies by making the amendments of rule defectors in order more often than other members' amendments. Only in the 105<sup>th</sup> Congress does party loyalty expressed in policy votes translate into more opportunities to amend appropriations bills. In an analysis of members' appropriations amendments offered under open rules (not shown), members who are procedurally disloyal, *i.e.*, vote against the rule more often, offer more appropriations amendments in the 107<sup>th</sup> Congress when they have the opportunity to do so, suggesting that those who are procedurally disloyal may be prevented from offering amendments in the 107<sup>th</sup> Congress after all.

Table 3-4. Explaining the Consideration of Majority Party Members' Policy Amendments on the House Floor

Congress	100 <sup>th</sup>	101 <sup>st</sup>	102 <sup>nd</sup>	103 <sup>rd</sup>	104 <sup>th</sup>	105 <sup>th</sup>	106 <sup>th</sup>	107 <sup>th</sup>
Party Loyalty: Roll Call Votes	-.01 [-.03,.04]	-.13 [-.27,.04]	.09 [-.07,.29]	.09 [-.13,.43]	.05 [-.05,.20]	-.04 [-.16,.10]	<b>.18</b> [.04,.34]	-.04 [-.10,.02]
Party Loyalty: Rule Votes	.01 [-.03,.07]	<b>.48</b> [.05,1.13]	-.14 [-.24,.01]	.07 [-.24,.15]	-.06 [-.15,.04]	.04 [-.10,.22]	-.07 [-.13,-.002]	.00 [-.08,.09]
Party Loyalty: Contributions to Candidates		.02 [-.03,.06]	.01 [-.02,.05]	.15 [-.47,.87]	-.00 [-.06,.05]	-.02 [-.10,.06]	.01 [-.01,.03]	.01 [-.02,.04]
Party Loyalty: Contributions to Party CCC	--	.03 [-.02,.07]	.02 [-.03,.06]	5.07 [-.67,2.1]	.04 [-.01,.09]	-.03 [-.14,.07]	.001 [-.05,.05]	.02 [-.02,.06]
Party Loyalty: Leadership PAC Contributions	.17 [.001,.67]	-.01 [-.03,.01]	.01 [-.00,.03]	.59 [-.47,5.1]	-.02 [.04,.01]	.004 [-.04,.05]	.02 [-.01,.04]	.001 [-.02,.02]
Legislative Entrepreneurs (Bills Sponsored)	.01 [-.01,.05]	.33 [.14,.54]	.24 [.08,.44]	.21 [.05,.43]	<b>.08</b> [.001,.18]	.09 [-.06,.26]	<b>.24</b> [.10,.39]	.04 [-.02,.12]
Competitive Race	1.3 [-.07,1.6]	-.09 [-.38,.40]	-.06 [-.26,.17]	.03 [-.24,.47]	.04 [-.16,.33]	-.02 [-.36,.53]	.08 [-.22,.53]	-.04 [-.22,.29]
Seniority	.01 [-.02,.05]	.00 [-.12,.16]	-.13 [-.21,.03]	.07 [-.07,.25]	.04 [-.05,.16]	.08 [-.07,.25]	-.03 [-.13,.07]	-.001 [-.07,.08]
Committee Chairman	.01 [-.06,.24]	.31 [-.17,1.2]	<b>2.49</b> [.80,5.8]	<b>.75</b> [.02,1.9]	<b>.58</b> [.07,1.4]	.32 [-.18,1.1]	.04 [-.25,.54]	<b>.66</b> [.14,1.5]
Log likelihood	-42.85	-270.10	-273.09	-244.76	-184.248	-219.65	-202.88	-164.26
$\chi^2$	11.81	39.69***	40.88***	28.82***	37.25***	12.08	25.78**	22.96**
Pseudo R <sup>2</sup>	.12	.07	.07	.06	.09	.03	.06	.07
N	254	254	266	254	222	220	216	222

Cell entries are first differences as described in the text from negative binomial regressions, confidence intervals are in parentheses. Entries in bold are significant at  $p < .05$  or better.

Table 3-5. Explaining the Consideration of Majority Party Members' Appropriations Amendments on the House Floor

Congress	100 <sup>th</sup>	101 <sup>st</sup>	102 <sup>nd</sup>	103 <sup>rd</sup>	104 <sup>th</sup>	105 <sup>th</sup>	106 <sup>th</sup>	107 <sup>th</sup>
Party Loyalty: Roll Call Votes	-.00 [-.02,.01]	-.01 [-.04,.04]	-.03 [-.06,.00]	.02 [-.02,.12]	-.02 [-.05,.02]	<b>.10</b> [.05,.02]	-.01 [-.03,.01]	-.002 [-.05,.06]
Party Loyalty: Rule Votes	.12 [-.02,.56]	.01 [-.03,.10]	-.04 [-.07,-.01]	-.01 [-.03,.03]	.01 [-.03,.07]	-.06 [-.10,-.02]	-.01 [-.03,.01]	-.07 [-.00,.21]
Party Loyalty: Contributions to Candidates	1.04 [-.03,5.1]	.01 [-.01,.02]	.01 [-.01,.02]	3.0 [-.06,5.8]	-.01 [-.05,.03]	-.004 [-.03,.03]	-.01 [.06,.03]	-.01 [-.10,.06]
Party Loyalty: Contributions to Party CCC	---	.00 [-.01,.02]	-.02 [-.05,.01]	3.21 [-.05,1.9]	.02 [-.00,.08]	-.01 [-.06,.04]	-.01 [.05,.02]	-.01 [-.08,.08]
Party Loyalty: Leadership PAC Contributions	3.28 [-.04,14]	3.4 [-.08,11]	-.00 [-.03,.02]	9.5 [-.03,73]	4.17 [-.12,2.4]	.01 [.01,.03]	.01 [-.06,.03]	-.01 [-.14,.38]
Legislative Entrepreneurs (Bills Sponsored)	.00 [-.01,.02]	.01 [-.02,.07]	<b>.05</b> [.01,.14]	-.00 [-.02,.02]	.02 [-.03,.13]	.03 [-.02,.11]	<b>.05</b> [.01,.13]	.02 [-.02,.11]
Competitive Race	1.4 [-.04,1.1]	.11 [-.04,.62]	-.02 [-.09,.08]	.02 [-.02,.12]	-.01 [-.09,.10]	.06 [-.10,.38]	.11 [-.02,.38]	7.24 [-.16,2.3]
Seniority	.01 [-.00,.03]	.02 [-.01,.10]	.04 [-.01,.16]	-.01 [-.02,.01]	-.02 [-.06,.04]	<b>.08</b> [.002,.18]	-.02 [-.05,.02]	-.01 [-.06,.08]
Committee Chairman	.08 [-.01,.41]	.01 [-.08,.25]	.07 [-.07,.62]	<b>.38</b> [.01,1.7]	.06 [-.09,.64]	.13 [-.07,.62]	7.04 [-.12,3.2]	.35 [-.09,2.7]
Log likelihood	-22.12	-49.38	-61.06	-58.12	-52.716	-98.19	-42.80	-32.94
$\chi^2$	12.70	6.26	17.48*	10.59	11.19	19.77*	19.88*	15.99
Pseudo R <sup>2</sup>	.22	.06	.13	.08	.10	.09	.19	.20
N	254	254	264	254	222	220	216	222

Cell entries are first differences as described in the text from negative binomial regressions, confidence intervals are in parentheses. Entries in bold are significant at  $p < .05$  or better.

## **Democrats' Commemoratives**

Democratic leaders had the opportunity to reward or assist members by bringing their commemoratives designating days, weeks, and months to the House floor for consideration. Citing the high cost to taxpayers, Republicans banned commemoratives when they gained majority control in 1995.

Commemoratives rarely, if ever, were controversial, and they allowed members to curry favor with their constituents by bringing national attention to their cause or group. As shown in Table 3-6, in the 102<sup>nd</sup> and 103<sup>rd</sup> Congress, Democratic leaders rewarded loyalty when it came to scheduling commemoratives. In the 103<sup>rd</sup> Congress, party loyalty in roll call voting was the only significant variable in the model explaining the consideration of members' commemoratives. In the 102<sup>nd</sup> Congress, loyalty was the most important factor, associated with a .1 increase in commemoratives, but legislative entrepreneurship also mattered (a .07 increase). Speaker Foley, but not Speaker Wright, rewarded party loyalty when the stakes were low.

### **A Closer Look at Party Control, Electoral Concerns, and Party Leaders**

The legislative calendar provides leaders with opportunities to exert discipline in pursuit of policy goals. This chapter evaluates how majority party leaders allocate legislative opportunities to their rank-and-file members, in particular, party leaders' decisions regarding which members' bills, amendments, resolutions, and "suspensions" are considered on the House floor. There are many anecdotes about party discipline circulating inside the Beltway, this chapter provides systematic evidence of party discipline.

Table 3-6. Explaining the Consideration of Commemoratives on the House Floor

Congress	100 <sup>th</sup>	101 <sup>st</sup>	102 <sup>nd</sup>	103 <sup>rd</sup>
Party Loyalty: Roll Call Votes	.03 [-.06,.17]	.04 [-.03,.13]	<b>.10</b> [.02,.23]	<b>.14</b> [.02,.33]
Party Loyalty: Rule Votes	.01 [-.07,.15]	-.001 [-.08,.11]	.21 [-.01,.65]	.01 [-.22,.32]
Party Loyalty: Contributions to Candidates	12 [-.20,35]	.02 [-.01,.04]	.01 [-.00,.02]	4.3 [-.14,1.7]
Party Loyalty: Contributions to Party CCC	--	.01 [-.03,.01]	-.00 [-.02,.02]	3.5 [-.16,8.5]
Party Loyalty: Leadership PAC Contributions	56 [-.17,37]	.002 [-.004,.01]	.04 [-.00,.01]	.44 [-.00,1.8]
Legislative Entrepreneurs (Bills Sponsored)	.02 [-.03,.09]	.05 [-.01,.14]	<b>.07</b> [.01,.17]	.03 [-.00,.09]
Competitive Race	.15 [-.10,.68]	.03 [-.16,.28]	-.06 [-.14,.04]	.02 [-.07,.16]
Seniority	-.01 [-.06,.07]	-.03 [-.08,.04]	<b>-.07</b> [-.11,-.03]	.00 [-.04,.06]
Committee Chairman	.25 [-.07,.83]	.26 [-.06,.98]	.45 [-.01,1.5]	-.04 [-.13,.14]
Log likelihood	-144.72	-127.29	-131.71	-86.27
$\chi^2$	11.47	12.9	26.14***	19.09*
Pseudo R <sup>2</sup>	.04*	.05	.09	.10
N	254	254	266	255

Cell entries are first differences as described in the text from negative binomial regressions, confidence intervals are in parentheses. Entries in bold are significant at  $p < .05$  or better.

The analyses of the interplay between the majority party's electoral motive of maintaining a majority and the policy motives of passing a legislative agenda, enhancing party unity and institutional maintenance illustrate that former Democratic Whip Tony Coelho was correct when he explained that "loyalty was used, but nothing was that simple" in the allocation of legislative benefits. The results show that party leaders pursue multiple goals—policy, electoral, and institutional—when they allocate benefits to their members. The prioritization of leaders' goals varies from congress to congress in ways that closely match my expectations, as illustrated in Table 3-7.

Table 3-7 links my expectations based the size of the margin, the leaders' partisan policy agenda, and the leaders' electoral concerns to the empirical results. The underlined cells (whether underlining a type of legislative benefit or an empty cell) indicate when I expect leaders to provide members with significant legislative opportunities.

Examining the left half of the table, the first two columns indicate the presence of contextual factors that should predict when leaders reward loyalty with legislation. As indicated in the "Reward Loyalty?" column, during the two congresses where the majority party leadership pursued an ambitious agenda and had relatively narrow margins (the 100<sup>th</sup> and 104<sup>th</sup>)—and thus needed the support of their members—leaders reward loyalty when determining whose major legislation reaches the House floor.

Table 3-7. Linking Expectations and Results

Years	Narrow Margin	Partisan Policy Agenda	Reward Loyalty?	Electoral Concern?	Help Vulnerable MCs?	Reward Fundraisers?
1987-1988	(X)	X	<u>Major Legislation</u>			Major Legislation Resolutions
1989-1990			Policy Amends			
1991-1992			Resolutions Commemoratives	X	<u>Suspensions</u>	<u>Major Legislation Suspensions</u>
1993-1994			Commemoratives		_____	<u>Resolutions</u>
1995-1996	X	X	<u>Major Legislation Suspensions</u>	X	_____	_____
1997-1998	X		Approps Amends			
1999-2000	X		Policy Amends	X	<u>Resolutions</u>	<u>Major Legislation</u>
2001-2002	X			X	_____	<u>Major Legislation Resolutions</u>

From 1987 to 2002, leaders use some type of legislative preference as a mechanism of discipline; Democratic and Republican majority party leaders reward party loyalty in some legislative domains in seven of the eight congresses. The value of the legislative opportunities allocated varies from congress to congress, hinging primarily on the party leaders' policy agenda.

Party leaders' aggressive efforts to pass a policy program and centralize power drive the use of discipline. Speaker Wright had to contend with many caucus members who regularly voted against the party. Although his margin of 81 seats was wide by today's standards, it was the smallest of the four Democratic-controlled congresses under consideration. Wright, in his aggressive pursuit of policy control, thus exerted discipline in the 1987 and 1988, especially where it counted most—in the consideration of major legislation. In the 100<sup>th</sup> Congress, party line voters saw more of their major bills considered on the House floor, all else equal.

In the 104<sup>th</sup> Congress (1995-1996), Speaker Gingrich set out to deliver on the promises he had made in the "Contract with America," a unique public congressional party agenda. With a narrow margin, Gingrich needed the support of most of his members to pass the ten Contract items and the controversial spending bills that followed. He thus rewarded members' loyalty in a major way—with the consideration of their major legislation—and also in the consideration of their suspensions.

Leaders' disciplinary tactics, however, can be constrained by their standing within the party caucus. The Speakers who were most active in pursuit of a party policy agenda, Jim Wright and Newt Gingrich, rewarded loyalty when it mattered most: in the consideration of major legislation in the 100<sup>th</sup> and 104<sup>th</sup> Congresses. But as the reputation and concomitant power of each of these Speakers diminished, they were less likely to use their prerogatives to exert party discipline on the legislative calendar. When Wright's power was weakened by an ethics investigation, however, his disciplinary tactics subsided. Speaker Wright exerted party discipline more frequently in the 100<sup>th</sup> Congress than he did in the 101<sup>st</sup> Congress (1989-1990). In the 101<sup>st</sup> Congress, which witnessed Speaker Wright and Democratic Whip Tony Coelho brought

down by scandal, the only remaining evidence of party discipline in the legislative calendar was in the domain of policy amendments. Speaker Gingrich exerted party discipline more forcefully in the 104<sup>th</sup> Congress than he did in the 105<sup>th</sup> Congress, rewarding loyalty only with appropriations amendments.

Leading in the wake of Wright's resignation, Speaker Foley was not known as a partisan leader. By the 103<sup>rd</sup> Congress, discipline governed the legislative calendar only in domains without major legislative implications. In the Foley-led congresses (1991-1994), discipline governed the consideration of commemoratives and non-binding resolutions. Given Foley's consensus-oriented leadership style, it is not surprising that he would exert discipline where it would be least likely to cause resentment among members of his caucus.

Speaker Newt Gingrich was more willing to exert party discipline by rewarding loyal policy voters than his successor, Dennis Hastert, who put a premium on fundraising loyalty. Hastert rewarded voting loyalty only with policy amendments and only in the 106<sup>th</sup> Congress, whereas he often bestowed legislative benefits to loyal fundraisers. In comparing the Gingrich and Hastert-controlled congresses, then, the significance of the legislative rewards vary, resulting in the "checker board" pattern of results displayed in Tables 3-1 through 3-6.

Turning to the right side of Table 3-7, I expected that party leaders would prioritize electoral goals in one of the Democratic congresses and three of the Republican congresses. Indeed, in congresses with more vulnerable members, leaders respond by pursuing electoral goals, *i.e.*, rewarding fundraisers and, at times, helping vulnerable incumbents as well as the most promising challengers and open seat candidates.

Democratic majority party leaders were more likely to prioritize electoral concerns in 1991-1992. Speaker Foley had good reasons to focus on electoral goals: the many vulnerable

Democratic incumbents going into the 1992 elections. As the election approached, according to *Congressional Quarterly*, more House Democrats faced competitive races than in any other election from 1988-1994. In response, Speaker Foley prioritized electoral goals in the allocation of legislative preference in the 102<sup>nd</sup> Congress, as predicted. He rewarded loyal fundraisers when it came to the consideration of major bills and H.R. suspensions. Moreover, the only instance where Democratic leaders provided their vulnerable incumbents with legislative opportunities was in the 102<sup>nd</sup> Congress: vulnerable incumbents had .48 more suspensions on the House floor, all else equal. Democratic leaders also rewarded fundraisers in the 100<sup>th</sup> and 103<sup>rd</sup> Congress, suggesting that party leaders recognized that the rank-and-file participation of their members was becoming an increasingly important component of party fundraising.

Despite the narrow margins in the early GOP-controlled congresses, Speaker Gingrich did not prioritize electoral goals when he allocated legislative benefits. Hastert, on the other hand, governing with narrow margins and enough vulnerable members to jeopardize majority party control, has rewarded fundraising with significant benefits: loyal donors see more of their major legislation considered in both the 106<sup>th</sup> and 107<sup>th</sup> Congress. Rank-and-file members were even more active fundraisers on the Republican side, and Hastert's rewards portended Republican leaders' use of this criterion in choosing committee chairs. In the 106<sup>th</sup> Congress, Hastert also helped electorally vulnerable members by giving their resolutions preference, but he did not favor those members facing tough reelection battles in the 107<sup>th</sup>.

In almost every legislative domain, leaders ensure institutional maintenance by recognizing their legislative entrepreneurs. It is hardly surprising that introducing many bills may enhance a member's chances of having one of his or her bills considered. Committee chairs are often sponsors of the legislation that reaches the House floor, although the effects of

institutional changes diminishing the power of committee chairmen are visible, particularly in Republican-controlled congresses, as committee chairs are not always more likely to see even their major legislation reach the House floor.

These results have implications for the legislative agenda enacted by Congress. Leaders' goals affect the policy content of the legislative calendar if part of the content is determined by loyal voters or loyal fundraisers who are being rewarded by leaders at the expense of other members or other factors. Further, members' representation of their constituents is affected by leaders' goals. Members from districts whose policy preferences diverge from the party's on important issues will experience cross pressure. To help one's constituents with major legislation, or perhaps a district-related suspension or simple resolution, a member may need to toe the line. Then, she may be violating her constituents' wishes by doing so.

This chapter is an analysis of just one domain in which party leaders allocate scarce benefits. My results provide a baseline of evidence that shows that in their pursuit of policy control, party leaders exert discipline by rewarding party loyalty in voting when it is in their interest to do so. The powers and prerogatives that enable party discipline also enable leaders to assist vulnerable incumbents, reward fundraisers, and recognize legislative entrepreneurs. As both parties leaders and members have become more involved in party fundraising during this period, leaders have increasingly rewarded fundraisers, particularly when they are concerned about vulnerable members. The next two chapters investigate and compare leaders' allocation of resources and opportunities in the committee and fundraising domains from 1987 to 2002.